

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

KEYON GARDNER and KELVIN POTTS,  
JR.,

Case No. 12-cv-02926 NC

**Plaintiffs,**

## **ORDER DENYING REQUEST TO VACATE PRETRIAL AND TRIAL DATES**

v.  
CITY OF OAKLAND; HOWARD JORDAN, in his capacity as Chief of Police for the CITY OF OAKLAND; MARK THOMAS, individually and in his official capacity as a police officer for the CITY OF OAKLAND.

Re: Dkt. No. 20

## Defendants.

The Court acknowledges and appreciates the Notice of Settlement filed in this case.

But as the parties have not explained why a settlement reached October 8, 2013, and which does not require City Counsel approval, cannot be executed reasonably in advance of the pretrial conference, the stipulation to vacate the pretrial and trial dates is denied.

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The Court continues the pretrial conference to October 30, 2013, at 2:00 p.m., and keeps the trial on calendar pending a dismissal request.

## IT IS SO ORDERED.

Date: Month ##, 2013

Notes

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Nathanael M. Cousins  
United States Magistrate Judge